

**SUPREME COURT MINUTES
WEDNESDAY, NOVEMBER 2, 2005
SAN FRANCISCO, CALIFORNIA**

S137583

B170343 Second Appellate District,
Division Eight

S. (JOSHUA., IN RE

Petition for review granted (civil case)

Votes: George, C.J., Kennard, Baxter,
Werdegarr, Chin, and Moreno, JJ.

S126715

B152759 Second Appellate District,
B154184 Division Five

SOUKUP v. HAFIF

Supplemental briefing ordered

The court requests the parties file supplemental briefs directed to the following questions.

(1) Should newly-enacted Code of Civil Procedure section 425.18 be applied retroactively to pending cases?

(2) If so, what is the effect of Code of Civil Procedure section 425.18 on the issue on which this court granted review in these consolidated cases, particularly with respect to subdivision (h) of that statute which states: "A special motion to strike may not be filed against a SLAPPback by a party whose filing or maintenance of the prior cause of action from which the SLAPPback arises was illegal as a matter of law"?

Supplemental briefing is to proceed as follows:

In *Soukup v. Hafif*, respondents may file a letter brief responding to the arguments regarding Code of Civil Procedure section 425.18 made in petitioner Soukup's reply brief, filed on October 4, 2005, on or before December 2, 2005. Petitioner Soukup may file a reply letter brief to such response on or before December 16, 2005.

In *Hutton v. Hafif*, respondents may file a letter brief responding to the argument regarding Code of Civil Procedure section 425.18 made in petitioner Hutton's reply brief, filed on October 4, 2005, on or before December 2, 2005. Petitioner Hutton may file a reply letter

brief to such response on or before
December 16, 2005.

No further extensions of time for the filing of
these briefs are contemplated by the Court.

S126864

B154311 Second Appellate District,
Division Five

SOUKUP v. STOCK

Supplemental briefing ordered

The court requests that the parties file
supplemental briefs directed to the following
questions:

(1) Should newly-enacted Code of Civil
Procedure section 425.18 be applied
retroactively to pending cases?

(2) If so, what is the effect of Code of Civil
Procedure section 425.18 on the issue on which
this court granted review in these consolidated
cases, particularly with respect to subdivision
(h) of that statute which states: "A special
motion to strike may not be filed against a
SLAPPback by a party whose filing or
maintenance of the prior cause of action from
which the SLAPPback arises was illegal as a
matter of law"?"

Supplemental briefing is to proceed as
follows:

Both parties may file simultaneous letter
briefs on the questions presented above on or
before December 2, 2005, and each may file an
additional letter brief in response on or before
December 16, 2005.

No further extensions of time for the filing of
these briefs are contemplated by the Court.

S128429

B171570 Second Appellate District,
Division Five

FLATLEY v. MAURO

Supplemental briefing ordered

The court requests the parties to file
supplemental briefs directed to the following
questions:

(1) Should newly-enacted Code of Civil
Procedure section 425.18 be applied
retroactively to pending cases?

(2) If so, what is the effect of Code of Civil
Procedure section 425.18 on the issue on which

this court granted review in this case, particularly with respect to subdivision (h) of that statute which states: "A special motion to strike may not be filed against a SLAPPback by a party whose filing or maintenance of the prior cause of action from which the SLAPPback arises was illegal as a matter of law"?

Both parties may file simultaneous letter briefs on the questions presented above on or before December 2, 2005, and each may file an additional letter brief in response on or before December 16, 2005.

No further extensions of time for the filing of these briefs are contemplated by the Court.

S136850

H027709 Sixth Appellate District

PEOPLE v. GEORGE

Petition for review GRANTED

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Brendlin*, S123133 and *People v. Saunders*, S122744 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, and Moreno, JJ.

S136013E035293 Fourth Appellate District,
Division Two

PEOPLE v. GONZALES

Petition for review denied.

S136390A110655 First Appellate District,
Division Five

HA v. SETHS ROBINSON

Petition for review denied.

S136499

F048547 Fifth Appellate District

SIZEMORE (WILLIAM) ON H.C.

Petition for review denied

S136557

E038532 Fourth Appellate District,
Division Two

BALKAM (MATTHEW) ON H.C.

Petition for review denied

S136574

B184658 Second Appellate District,
Division Seven

HAIRSTON (JOHNNIE RAY) ON H.C.

Petition for review denied

S136576

G035228 Fourth Appellate District,
Division Three

LEE (VICTOR) ON H.C.

Petition for review denied

S136577

B184861 Second Appellate District,
B162370 Division Seven

KING (JONATHAN) ON H.C.

Petition for review denied

S136588

E038604 Fourth Appellate District,
Division Two

GUZMAN (OSCAR) ON H.C.

Petition for review denied

S136604

C050281 Third Appellate District

HEBBE, (PAUL ERIC) ON H.C.

Petition for review denied

S136611

A110917 First Appellate District,
Division Three

LEWIS (MILTON OTIS, JR.) ON H.C.

Petition for review denied

S136645

H028670 Sixth Appellate District

MALSTROM (MARK) ON H.C.

Petition for review denied

S136655

A105612 First Appellate District,
A105613 Division Four

YAMAGIWA v. CITY OF HALF MOON BAY (CA
COASTAL COMMISSION)

Petition for review & publication requests denied

S136660

A107006 First Appellate District,
Division One

PEOPLE v. JORDAN

Petition for review denied

S136701

B171255 Second Appellate District,
Division Five

PEOPLE v. ROQUEMORE

Petition for review denied

S136761

F045561 Fifth Appellate District

P. (JOSE) IN RE

Petition for review denied

Werdegarr, J., is of the opinion the petition
should be granted.

S136762

A110325 First Appellate District,
Division Three

BATISTE (PATRICK) ON H.C.

Petition for review denied

S136765

B175344 Second Appellate District,
Division Eight

PEOPLE v. GRIZZELLE

Petition for review denied

S136775

D046776 Fourth Appellate District,
Division One

GOMEZ (MARCEL) ON H.C.

Petition for review denied

S136793

A111143 First Appellate District,
Division Four

RODERICK (ALFRED W.) ON H.C.

Petition for review denied

S136803

A111035 First Appellate District,
Division Three

MCCUIN v. S.C. (FIRESIDE BANK)

Petition for review denied

S136815

B174549 Second Appellate District,
Division Three

PEOPLE v. LAMB

Petition for review denied

S136823

D045399 Fourth Appellate District,
Division One

PEOPLE v. CEA

Petition for review denied

Kennard, J., and Moreno, J., are of the opinion
the petition should be granted.

S136827
C046096 Third Appellate District

PEOPLE v. RUILOBA
Petition for review denied

S136831
G033443 Fourth Appellate District,
Division Three

PEOPLE v. HUYNH

Petition for review denied

S136855
A106781 First Appellate District,
Division Five

D. (BARTHOLOMEW), IN RE
Petition for review denied

S136864
E036320 Fourth Appellate District,
Division Two

PEOPLE v. SCHRACK
Petition for review denied

S136868
D043945 Fourth Appellate District,
Division One

PEOPLE v. WILKERSON
Petition for review denied

Kennard, J., is of the opinion the petition should
be granted.

S136869
D045416 Fourth Appellate District,
Division One

ORIGON (MARTIN) ON H.C.
Petition for review denied

S136873
C047066 Third Appellate District

PEOPLE v. AJADI
Petition for review denied

S136889
B184373 Second Appellate District,
Division One

DELGADO (LUIS) ON H.C.
Petition for review denied

S136893
B171997 Second Appellate District,
Division Seven

PEOPLE v. HICKS
Petition for review denied

S136894
F047585 Fifth Appellate District

WASHINGTON v. WOODWARD
Petition for review denied

S136895

A101399 First Appellate District,
Division One

PEOPLE v. CALLOWAY

Petition for review denied

S136896

A111015 First Appellate District,
Division Three

CHOPRA v. S.C. (PEOPLE)

Petition for review and application for stay denied

S136898

A110949 First Appellate District,
Division Five

KEES (JAMES) ON H.C.

Petition for review denied

S136901

F047595 Fifth Appellate District

WASHINGTON v. WOODWARD

Petition for review denied

S136908

A107185 First Appellate District,
Division Five

PEOPLE v. HUTCHINSON

Petition for review denied

S136915

C046294 Third Appellate District

PEOPLE v. GALVEZ

Petition for review denied

S136946

B177665 Second Appellate District,
Division One

PEOPLE v. CHAVEZ

Petition for review denied

S136960

F046682 Fifth Appellate District

WASHINGTON v. SCRIBNER

Petition for review denied

S136986**VINSON v. CA 2/8 (DIMITRIUS)**

Petition for writ of mandate/prohibition denied

S136991

B177365 Second Appellate District,
Division Five

PEOPLE v. SOSSA

Petition for review denied

S137007

A102387 First Appellate District,
Division Two

PEOPLE v. URSUA

Petition for review denied

S137016

A108710 First Appellate District,
Division Five

MCDOWD v. HOUSE

Petition for review denied

S137018

F046576 Fifth Appellate District

NELSON, MARRIAGE OF

Petition for review denied

Baxter, J., was recused and did not participate.

S137019

B183850 Second Appellate District,
Division Four

ROSALES v. W.C.A.B. (CITRUS VALLEY
MEDICAL)

Petition for review denied

S137062

H026821 Sixth Appellate District

BERG AND BERG ENTERPRISES v. SHERWOOD
PARTNERS INC.

Petition for review denied

S137066

F046683 Fifth Appellate District

WASHINGTON v. SCRIBNER

Petition for review denied

S137072

C045811 Third Appellate District

PEOPLE v. GEROLAGA

Petition for review denied

S137076

B183978 Second Appellate District,
Division Four

KARAMANUKYAN v. INTERSURANCE
EXCHANGE OF THE AUTO CLUB

Petition for review denied

S137083

F047349 Fifth Appellate District

RAMEY v. DIAS

Petition for review denied

Baxter, J., was recused and did not participate.

S137093WASHINGTON v. CA 2 (PEOPLE)
Petition for writ of mandate/prohibition denied**S137094**

F045483 Fifth Appellate District

SANCHEZ v. KERN COUNTY FIRE DEPARTMENT
Petition for review denied

Baxter, J., was recused and did not participate.

S137120D045124 Fourth Appellate District,
Division OnePEOPLE v. MORGAN
Petition for review denied**S137124**G033069 Fourth Appellate District,
Division ThreePEOPLE v. NGUYEN
Petition for review denied**S137128**A106934 First Appellate District,
Division OneOZEN v. RICHARDSON
Petition for review denied**S137129**

C039012 Third Appellate District

DOUMIT v. BOARD OF PHARMACY
Petition for review denied**S137131**D045023 Fourth Appellate District,
Division OnePEOPLE v. MORGAN
Petition for review denied**S137135**

F047582 Fifth Appellate District

WASHINGTON v. SCRIBNER
Petition for review denied**S137136**

F047592 Fifth Appellate District

WASHINGTON v. WOODWARD
Petition for review denied**S137140**B185135 Second Appellate District,
Division SixNEWMAN (ROGER E.) ON H.C.
Petition for review denied

S137174

F047593

WASHINGTON v. WOODWARD

Petition for review denied

S137176

F047583 Fifth Appellate District

WASHINGTON v. SCRIBNER

Petition for review denied

S137180

F046684 Fifth Appellate District

WASHINGTON v. SCRIBNER

Petition for review denied

S137182

F046681 Fifth Appellate District

WASHINGTON v. SCRIBNER

Petition for review denied

S137183

F047590 Fifth Appellate District

WASHINGTON v. WOODARD

Petition for review denied

S137185

F047581 Fifth Appellate District

WASHINGTON v. KLARCHI

Petition for review denied

S137186

F047591 Fifth Appellate District

WASHINGTON v. WOODWARD

Petition for review denied

S137189E036800 Fourth Appellate District,
Division TwoINCO DEVELOPMENT CORPORATION v. S.C.
(HAYNES)

Petition for review denied

Request for judicial notice denied.

Kennard, J., is of the opinion the petition should
be granted.**S137195**

F047584 Fifth Appellate District

WASHINGTON v. WOODWARD

Petition for review denied

S137198

F047594 Fifth Appellate District

WASHINGTON v. WOODWARD

Petition for review denied

S137201
F047596 Fifth Appellate District

WASHINGTON v. WOODWARD
Petition for review denied

S137213
B176848 Second Appellate District,
Division Four

WINTON v. WMW
Petition for review denied

S137214
F047587 Fifth Appellate District

WASHINGTON v. WOODWARD
Petition for review denied

S137220
F047588 Fifth Appellate District

WASHINGTON v. WOODWARD
Petition for review denied

S137221
F047579 Fifth Appellate District

WASHINGTON v. GALAZA
Petition for review denied

S137222
F047589 Fifth Appellate District

WASHINGTON v. WOODWARD
Petition for review denied

S137228
B179576 Second Appellate District,
Division Five

G. (IRENA), IN RE
Petition for review denied

S137236
B179928 Second Appellate District,
Division Four

ZAHEDI v. DOWNEY
Petition for review denied

S137239
H027315 Sixth Appellate District

PEOPLE v. QUINTERO
Petition for review denied

S137240
F046425 Fifth Appellate District

PEOPLE v. APODACA
Petition for review denied

S137347

AKKERMAN v. CA 2/6 (JOHNSON)
Petition for writ of mandate/prohibition denied

S137353

B185602 Second Appellate District,
Division Eight

WESE, INC. v. ALCOHOLIC BEVERAGE CONTROL
APPEALS BOARD (DEPARTMENT OF ABC)
Petition for review and application for stay denied

S137374

B173944 Second Appellate District,
Division Eight

TAYLOR v. REINJOHN
Petition for review denied

S137375

E037337 Fourth Appellate District,
Division Two

R. (M.), IN RE
Petition for review & publication request denied

S137407

A104034 First Appellate District,
Division Four

PEOPLE v. IBRAHIM
Petition for review denied

S137451

B184003 Second Appellate District,
Division Five

KRAUSE v. CARR
Petition for review denied

S137461

A111272 First Appellate District,
Division Three

WHITAKER v. S.C. (ANDRONICO'S MARKET)
Petition for review denied

S137491

B184331 Second Appellate District,
Division Eight

DIMITRIUS v. S.C. (VINSON & DIMITRIUS, LLC)
Petition for review denied

The request for judicial notice filed on
September 26, 2005, is denied except as to the
order issued by the court of appeal in *Biosense
Webster, Inc. v. Superior Court*, B184852, dated
August 19, 2005.

S137493

A108266 First Appellate District,
Division One

PEOPLE v. RACHELLE
Petition for review denied

S137496

D045177 Fourth Appellate District,
Division One

PEOPLE v. JEFFERSON
Petition for review denied

S137497
H027675 Sixth Appellate District

NMSBPCLDHB v. CHAVEZ
Petition for review denied

S137510
B173685 Second Appellate District,
Division Four

PEOPLE v. BOYD
Petition for review denied

S137512
C045516 Third Appellate District

PEOPLE v. WHITTINGTON
Petition for review denied

S137522
B175879 Second Appellate District,
Division Three

PEOPLE v. NGUYEN
Petition for review denied

S137529
B177073 Second Appellate District,
Division One

PEOPLE v. JACKSON
Petition for review denied

S137530
H027610 Sixth Appellate District

COLLORD (VICTOR), CONSERVATORSHIP OF
Petition for review denied

S137535
C047878 Third Appellate District

PEOPLE v. PATRICK
Petition for review denied

S137536
B177363 Second Appellate District,
Division Three

PEOPLE v. SORTO
Petition for review denied

S137540
G032702 Fourth Appellate District,
Division Three

PEOPLE v. MORGAN
Petition for review denied

S137541
B176152 Second Appellate District,
Division Five

GONZALES v. NASSER MOADDELI
Petition for review denied

S137544
A104339 First Appellate District,
Division Two

PEOPLE v. VALENZUELA
Petition for review denied

S137553
C048244 Third Appellate District

PEOPLE v. BETANCOURT
Petition for review denied

S137554
H026581 Sixth Appellate District

PEOPLE v. NGUYEN
Petition for review denied

S137556
C046991 Third Appellate District

PEOPLE v. SANDERS
Petition for review denied

S137563
C047462 Third Appellate District

PEOPLE v. GARCIA
Petition for review denied

S137564
B179509 Second Appellate District,
Division One

PEOPLE v. PEREZ
Petition for review denied

S137566
B176169 Second Appellate District,
Division Three

PEOPLE v. JACKSON
Petition for review denied

S137568
D045929 Fourth Appellate District,
Division One

UC BOARD OF TRUSTEES v. S.C. (COPLEY PRESS)
Petition for review & depublication request denied

S137569
D045209 Fourth Appellate District,
Division One

PEOPLE v. CORRAL
Petition for review denied

S137570
F047227 Fifth Appellate District

PEOPLE v. NINO
Petition for review denied

Baxter, J., was recused and did not participate.

S137571 B177432 Second Appellate District, Division Six	J. (SAMANTHA), IN RE Petition for review denied
S137572 A103355 First Appellate District, Division Three	COOPER v. LYON Petition for review denied
S137575 A107815 First Appellate District, Division Four	PEOPLE v. RINGHEIMER Petition for review denied
S137576 C045060 Third Appellate District	PEOPLE v. PENA-SILVA Petition for review denied
S137579 D043974 Fourth Appellate District, Division One	FIRE INSURANCE EXCHANGE v. SADEGHINI Petition for review denied
S137582 C047980 Third Appellate District	REGAN v. PRICE Petition for review & depublication request denied
S137589 B179406 Second Appellate District, Division One	PEOPLE v. CERVANTES Petition for review denied
S137592 C048092 Third Appellate District	PEOPLE v. LAVOYE Petition for review denied
S137593 F045405 Fifth Appellate District	PEOPLE v. JACKSON Petition for review denied
S137595 A107745 First Appellate District, Division Five	F. (MICHAEL) IN RE Petition for review denied

S137598

E035534 Fourth Appellate District,
Division Two

PEOPLE v. WICHELMAN

Petition for review denied

S137599

E035580 Fourth Appellate District,
Division Two

PEOPLE v. MCKINNION

Petition for review denied

S137602

B164117 Second Appellate District,
Division Three

DAVIS & THOMAS v. TEXACO

Petition for review denied

Kennard, J., was recused and did not participate.

S137603

E036386 Fourth Appellate District,
Division Two

PEOPLE v. GOODEN

Petition for review denied

S137609

B180276 Second Appellate District,
Division One

PEOPLE v. BLACKWELL

Petition for review denied

S137611

F046253 Fifth Appellate District

PEOPLE v. MARSH

Petition for review denied

S137617

A105313 First Appellate District,
A106163 Division Four

ENGLAND v. SWINERTON BUILDERS

Petition for review denied

S137626

E036199 Fourth Appellate District,
Division Two

PEOPLE v. VAUGHAN

Petition for review denied

S137627

G033462 Fourth Appellate District,
G033463 Division Three

PEOPLE v. LEE

Petition for review denied

S137630

D043440 Fourth Appellate District,
Division One

PEOPLE v. SMITH

Petition for review denied

S137631

H027660 Sixth Appellate District

PEOPLE v. AUYON

Petition for review denied

S137634

A105028 First Appellate District,
Division One

PEOPLE v. HARRIS

Petition for review denied

S137638

B172635 Second Appellate District,
Division Eight

LOWE v. TDY INDUSTRIES

Petition for review denied

S137639

D045126 Fourth Appellate District,
Division One

PEOPLE v. ACOSTA

Petition for review denied

S137643

B177025 Second Appellate District,
Division Seven

PEOPLE v. CHANEY

Petition for review denied

S137644

E037268 Fourth Appellate District,
Division Two

PEOPLE v. VICKERS

Petition for review denied

S137647

C047848 Third Appellate District

PEOPLE v. PONCEDELEON

Petition for review denied

S137648

E035685 Fourth Appellate District,
Division Two

PEOPLE v. LUCATERO

Petition for review denied

S137652

E035535 Fourth Appellate District,
Division Two

PEOPLE v. GIBBS

Petition for review denied

S137653

A107747 First Appellate District,
Division Four

B. (J.), IN RE

Petition for review denied

S137654

C048457 Third Appellate District

R. (ISAAC), IN RE

Petition for review denied

Request for judicial notice granted.

S137656

F045387 Fifth Appellate District

PEOPLE v. CRUZ

Petition for review denied

S137657

C046887 Third Appellate District

PEOPLE v. THOMAS

Petition for review denied

S137658

F046597 Fifth Appellate District

PEOPLE v. REGALADO

Petition for review denied

S137680

E036025 Fourth Appellate District,
Division Two

PEOPLE v. ELDRIDGE

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Cage*, S127373.

S137685

F045194 Fifth Appellate District

PEOPLE v. CHABROUILAUD

Petition for review denied

S137689

B178576 Second Appellate District,
Division Eight

ROSENTHAL v. LIEBER

Petition for review denied

S137697

E036895 Fourth Appellate District,
Division Two

PEOPLE v. ATWATER

Petition for review denied

S137708B179593 Second Appellate District,
Division ThreeH. (NICHOLLE), IN RE
Petition for review denied**S137747**

C046987 Third Appellate District

PEOPLE v. WHITE
Petition for review denied**S137941**B185471 Second Appellate District,
Division FourNELSON v. S.C. (NELSON)
Petition for review and application for stay denied**S125934**LUCAS (MICHAEL D.) ON H.C.
Petition for writ of habeas corpus denied**S128400**KOROLEV (SERGEI V.) ON H.C.
Petition for writ of habeas corpus denied**S128524**PEREZ (JOSE) ON H.C.
Petition for writ of habeas corpus denied**S128543**RUIZ (MIGUEL) ON H.C.
Petition for writ of habeas corpus denied(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S128574**CUMMER (RANDALL) ON H.C.
Petition for writ of habeas corpus denied**S128590**GALLARDO (GUSTAVO) ON H.C.
Petition for writ of habeas corpus denied**S129550**DURAN (ISMAEL) ON H.C.
Petition for writ of habeas corpus denied**S129587**PROBST (SHAWN) ON H.C.
Petition for writ of habeas corpus denied

S129688

VARDEN (OTIS) ON H.C.
Petition for writ of habeas corpus denied

S129701

LIU (RAE-YUEN) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)

S129710

CAIN (JASON) ON H.C.
Petition for writ of habeas corpus denied

S129735

WEBB (SAMUEL) ON H.C.
Petition for writ of habeas corpus denied

S129737

PATKINS (DAVID C.) ON H.C.
Petition for writ of habeas corpus denied

S129740

BARNES (LARRY) ON H.C.
Petition for writ of habeas corpus denied

S129751

FRANKLIN (CHRISTOPHER L.) ON H.C.
Petition for writ of habeas corpus denied

S129769

VILLALOBOS (JORGE) ON H.C.
Petition for writ of habeas corpus denied

S129776

LOPEZ (BENNY M.) ON H.C.
Petition for writ of habeas corpus denied

S129777

MOEVAO (FAILAUTUSI) ON H.C.
Petition for writ of habeas corpus denied

S129778

SINGLETON (MICHAEL) ON H.C.
Petition for writ of habeas corpus denied

S129779

SCOTT (TONY) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S129784

PAYAN (MICHAEL J.) ON H.C.
Petition for writ of habeas corpus denied

Motion to substitute counsel is granted.
Petition for writ of habeas corpus is DENIED.
(See *In re Clark* (1993) 5 Cal.4th 750.)

S129786

SARGENT (KENNETH G.) ON H.C.
Petition for writ of habeas corpus denied

S129802

DOW (JERRY) ON H.C.
Petition for writ of habeas corpus denied

S129808

HERNANDEZ (ANGEL M.) ON H.C.
Petition for writ of habeas corpus denied

S129814

WHITAKER (NORRIS L.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750.)

S129817

RICHARDSON (TIMOTHY J.) ON H.C.
Petition for writ of habeas corpus denied

S129843

FRANCIS (LOUIS) ON H.C.
Petition for writ of habeas corpus denied

S129846

FRANCO (ANIBAL O.) ON H.C.
Petition for writ of habeas corpus denied

S129879

GARCIA (MARIO R.) ON H.C.
Petition for writ of habeas corpus denied

S129941

MEFFORD (ARTHUR C.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;
In re Clark (1993) 5 Cal.4th 750.)

S129956

BANKS (RODNEY) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734; *In re Dixon* (1953) 41 Cal.2d 756.)

S129958

WILLIAMS (SAMMY) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S129966

NOVELO (EDWARD A.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304;
People v. Duvall (1995) 9 Cal.4th 464, 474.)

S129968

QUARLES (ALVIN R.) ON H.C.
Petition for writ of habeas corpus denied

S129972

MOORE (JOHNNIE L.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.3d 734; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S129975

LANZARIN (ANTHONY) ON H.C.
Petition for writ of habeas corpus denied

S130012

JOHNSON (IRVING) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;
In re Swain (1949) 34 Cal.2d 300, 304; *People*
v. Duvall (1995) 9 Cal.4th 464, 474.)

S130089

DIAZ (ANGEL A.) ON H.C.
Petition for writ of habeas corpus denied

S130999

PATKINS (DAVID C.) ON H.C.
Petition for writ of habeas corpus denied

S131730

PATKINS (DAVID C.) ON H.C.
Petition for writ of habeas corpus denied

S133087

ROBINSON (KEITH) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Wessley W.* (1981) 125 Cal.App.3d
240, 246; *In re Azurin* (2001) 87 Cal.App.4th
20.)

S133173

PATKINS (DAVID C.) ON H.C.
Petition for writ of habeas corpus denied

S136626

THOMAS (JOYCE MARIE) ON H.C.
Petition for writ of habeas corpus denied

S136824

TAYLOR (STACY L.) ON H.C.
Petition for writ of habeas corpus denied

S137600

MOUCHAGH (GARY A.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304;
People v. Duvall (1995) 9 Cal.4th 464, 474.)

S137605

BRIDGES (HAROLD) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;
In re Swain (1949) 34 Cal.2d 300, 304; *In re*
Wessley W. (1981) 125 Cal.App.3d 240, 246.)

S137683

HARTNETT (MICHAEL J.) ON H.C.
Petition for writ of habeas corpus denied

S137760

COLLINS (JASPER) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750.)

S137788

R. (CELSO BENJAMIN) ON H.C.
Petition for writ of habeas corpus denied

S137845

REED (ALONZO) ON H.C.
Petition for writ of habeas corpus denied

S137872

SHERMAN (JOE) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Harris* (1993) 5 Cal.4th 813, 826-827;
In re Waltreus (1965) 62 Cal.2d 218, 225.)

S137893

THOMAS (KEITH) ON H.C.
Petition for writ of habeas corpus denied

S137926

SHERMAN (JOSEPH A.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Dixon* (1953) 41 Cal.2d 756, 759.)

S137986

SHERMAN (JOSEPH A.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Dixon* (1953) 41 Cal.2d 756, 759.)

S138036

THOMAS (KEITH) ON H.C.
Petition for writ of habeas corpus denied

S138200

FKADU (BERIHU) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304;
People v. Duvall (1995) 9 Cal.4th 464, 474.)

S136707

G033818 Fourth Appellate District,
Division Three

ROOT v. AMERICAN EQUITY SPECIALTY
Depublication requests denied (case closed)

S136964

C047736 Third Appellate District
C047084

MAMMOTH CREEK HOMEOWNERS v. RAU
Publication request denied (case closed)

S137097

A106820 First Appellate District,
Division Five

GARAMENDI v. GOLDEN EAGLE INSURANCE
WESTPORT INSURANCE CO.
Publication request denied (case closed)

S058025

PEOPLE v. FOSTER (RICHARD D.)
Extension of time granted

to January 9, 2006 to file respondent's brief.
After that date, only one further extension
totaling about 30 additional days will be
granted. Extension is granted based upon
Deputy Attorney General Susan E. Miller's
representation that she anticipates filing that
brief by 2-8-2006.

S058734

PEOPLE v. HOLMES, MCCLAIN & NEWBORN
Extension of time granted

to January 6, 2006 to file appellant Newborn's
opening brief.

S077166

PEOPLE v. MCKINNON (CRANDELL)

Extension of time granted

to January 4, 2006 to file appellant's opening brief.

S132251

E035868 Fourth Appellate District,
Division Two

MT. SAN JACINTO COMMUNITY COLLEGE v. S.C.

Extension of time granted

Real Party in Interest's time to serve and file the consolidated response to amicus curiae briefs is extended to and including November 18, 2005.

S133774

ANDREOZZI (LEROY) ON H.C.

Extension of time granted

to December 12, 2005 for the Attorney General to file the informal response.

S134543

A099250 First Appellate District,
A099366 Division Two
A099499
A109260

PEOPLE v. NOEL

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to and including December 5, 2005.

S048440

PEOPLE v. LIGHTSEY (CHRISTOPHER)

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Robert R. Bryan is hereby appointed to represent appellant Christopher Charles Lightsey for habeas corpus/executive clemency proceedings related to the above automatic appeal now pending in this court.

S065720

PEOPLE v. VINES (SEAN VENYETTE)
Motion for access to sealed record granted

Respondent's "Application for Transmittal to Respondent of Confidential Documents," filed on September 2, 2005, is granted.

The Clerk of this court is directed to provide respondent with a copy of the reporter's transcript of the in camera hearing on Tuesday, September 16, 1997, before Judge James L. Long, pages 4616-4620. On the court's own motion, the Clerk of this court is directed to unseal these pages for all purposes.

S021054

PEOPLE v. MOON (RICHARD R.)
Order filed

The "Application for Stay of Penal Code §1193 Proceedings," filed on October 31, 2005, is granted. Execution of the judgment of death entered against condemned inmate Richard Russell Moon by the Los Angeles Superior Court (No. KA004445) and affirmed by this court on August 18, 2005 (37 Cal.4th 1), is hereby stayed pending the last to occur of the following: final determination of any timely filed petition for writ of certiorari in the United States Supreme Court, and this court's disposition of Richard Russell Moon's capital-related petition for writ of habeas corpus (S126781). If the petition for writ of habeas corpus is denied, and if a petition for writ of certiorari is not submitted within the time prescribed, this stay will terminate when the time for submitting such petition has expired.

S138434

7-ELEVEN v. DEPT OF ALCHOLIC BEVERAGE
Order filed

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District.

990674-05

THE HONORABLE FRANKLIN D. ELIA, Associate Justice of the Court of Appeal, Sixth Appellate District, is hereby assigned to assist the Supreme Court, as a justice thereof, on November 1, 2005, and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Supreme Court justice, petitions for rehearing arising out of such causes and matters.

